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7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF ARIZONA**

9 In re:) **Proceedings in Chapter 11**
10) **Case No. 07-00170-RJH**
11 DONDRA MAZA,)
12) **RESPONSE TO DEBTOR'S MOTION**
13 Debtor.) **TO ASSUME NON-RESIDENTIAL**
14) **LEASE WITH LAS SENDAS VILLAGES**
15) **L.L.C.**

16 Las Sendas Villages L.L.C. ("Landlord"), by and through its undersigned counsel,
17 herewith submits its objection to the Debtor's Motion ("Motion") to Assume Non-Residential
18 Lease with the Landlord. The Motion involves the premises located at 2831 North Power
19 Road, Suite 103, Mesa, Arizona ("Premises").

20 While it is true the Debtor has been in negotiations with the Landlord regarding
21 assumption of the subject lease, the parties have reached an apparent impasse over the timing
22 and amounts for cure of pre and post-petition defaults. The Debtor has also failed to
23 demonstrate her ability to perform on the Premises lease in the future.

24 Under Local Bankruptcy Rule 6006-1(b), a debtor's motion for assumption of an
25 unexpired lease must include an indication as to how the lease defaults will be cured and how
26 the debtor will provide adequate assurance that defaults will be promptly cured. The debtor
must also provide adequate assurance of future performance under the lease. Additionally, a

1 form of notice must be filed and served as requested by Rule 6006-1(e). In the case at bar, the
2 Debtor's Motion fails to comply with virtually every requirement of this Court's Local Rules.

3 WHEREFORE, it is respectfully requested that this Court enter its order denying the
4 Debtor's Motion. In the alternative, the Landlord requests that this Court direct the Debtor to
5 fully comply with all requirements of 11 U.S.C. §365, Bankruptcy Rule 6006 and Local
6 Bankruptcy Rule 6006-1 as a prerequisite to any order of this Court allowing assumption of the
7 Debtor's lease of the subject Premises.

8 Respectfully submitted,

9 **COLLINS, MAY, POTENZA, BARAN**
10 **& GILLESPIE, P.C.**

11
12 By 

13 Daniel P. Collins

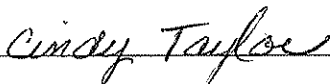
14 Douglas S. Magnuson

15 Attorneys for Las Sendas Villages, L.L.C.,
an Arizona Limited Liability Company

16 Copies of the foregoing mailed
17 this 9th day of May, 2007, to:

18 United States Trustee
19 230 North First Avenue, Suite 204
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